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EXAMINER

BEAULIEU, YONEL

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 07/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/009,246

Applicant(s)

HESSING ET AL.

Examiner

Yonel Beaulieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Objections

Claims 20 – 22 are objected to because of the following informalities: in claim 20, it is suggested to insert - -bus- - after “data” (line 3, second occurrence); claims 21 and 22 are necessarily objected. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 20 – 26, 29 – 39, and 44 are rejected under 35 U.S.C. 102(e) as being anticipated by Katou (US 6,006,161).

Regarding claims 20, 22, 23, 34 - 36, 38, 39 and 44, Katou teaches a method/driver-information device for outputting driving-information item (data) in a vehicle, comprising driving-information being generated by a navigation device (2), wherein the position of the vehicle is ascertained (by way of item 21) causing a processing device (4; fig. 1) to generate the data; transmitting the data from the processing device on a digital data bus (via communication interface 47; col. 6: 16-17),

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an output unit (1) being connected to the data bus (see fig. 1); causing the output unit to receive and process the data via the bus (fig. 1) and causing the output unit to output (via either item 12 or 16) the processed data (col. 3: 66 – col. 4: 10 at least) – the device determining a route in a road and route network from a starting point to a destination (col. 1: 7 – 13 at least); and a first channel for commands and a second channel for output (as illustrated in fig. 1).

Regarding claims 21 and 24, Katou's data include at least one of vehicle data and driving-information (see figs. 3 and 4).

Regarding claims 25 and 26, Katou displays (via item 12) an ascertained segment of a map having a road and route network simultaneously (see figs. 1, 3 (step S5), 5A, 5B; col. 4: 19 – 38 at least).

Regarding claim 29, Katou further teaches outputting the driving instruction by the output unit in response to a distance value (when detected by item 26; fig. 1).

Regarding claims 30, 31, and 33, Katou teaches displaying graphics object and audio data stored in a memory (41, 44 at least), the graphics object and the audio data being outputted in a corresponding display (12) and a loudspeaker (16; col. 3: 31 – col. 4: 10 at least).

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Regarding claim 32, the processed audio data is for a voice output (note item 46 in fig. 1).

Regarding claim 37, Katou's output device (1) is connected to the storage unit which stores map data (note connection of item 4 to item 1; see fig. 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 27, 28, and 40 - 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katou ('161) as applied to claim 23 (directly or indirectly) and further in view of Bechtolsheim et al. (US 6,208,934).

As discussed above, Katou teaches all of the limitations except for scale ranking the information by the navigation device and situating the unit in the console.

However, Bechtolsheim et al. teaches, in the same field of endeavor of navigation device, placing the unit in the vehicle console (note item 110 inside item 111 in fig. 1) and scale ranking navigational information (col. 4: 12 - 38 at least).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Katou's device by placing the unit in the vehicle console and scale ranking of navigational information as evidenced by Bechtolsheim in order to optimally present driving information to a driver of the vehicle.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yonel Beaulieu whose telephone number is (703) 305-4072. The examiner can normally be reached on M-R, from 0900-1600.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. CUCHLINSKI can be reached on (703) 308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and same for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Y. BEAULIEU
July 8, 2003

YONEL BEAULIEU
PRIMARY EXAMINER